

# Citizens' Utility Ratepayer Board

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State of Kansas

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## SENATE UTILITIES COMMITTEE H.B. 2482

Testimony on Behalf of the Citizens' Utility Ratepayer Board  
By David Springe, Consumer Counsel  
March 12, 2014

Chairman Apple and members of the committee:

Thank you for this opportunity to offer testimony on H.B. 2482. The Citizens' Utility Ratepayer Board (CURB) supports this bill and urges the Committee to pass H.B. 2482 as amended in the House Committee.

H.B. 2482 amends K.S.A. 66-106 to clarify that the state corporation commission (commission) has the authority to "On its own, or in conjunction and/or association with others with similar interests, intervene and/or otherwise participate, in state or federal proceedings, on any matter the state corporation commission reasonably believes pertains to its official duties." Upon conferral with the attorney general, the commission also has discretion to file amicus briefs with any court within the state or federal government.

The commission, with its ability to intervene and participate in federal proceedings, plays a vital consumer protection role for utility customers in Kansas. Many decisions that are made at the federal level, whether at the Federal Energy Regulatory Commission (FERC), the Federal Communication Commission (FCC), other federal agencies or through the federal courts, ultimately result in impacts to Kansas utility customers. The commission has long intervened in these proceedings on behalf of Kansas customers, and must continue to be able to do so to protect our interests. This language also clarifies the Commission's authority to participate in other state related matters.

I understand that in other legal venues, the statutory authority of a state regulatory commission to participate at the federal level has been questioned. While I believe that our current statutes are sufficient to grant this authority, there is no harm in making this authority explicit and as broad as possible. As such, CURB supports this bill and urges its passing.